

REMARKS

In the Office Action, claims 1-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Szczutkowski et al. (U.S. Patent No. 4,817,146) in view of Cookson et al. (U.S. Patent No. 5,896,454), and in further view of Dent (U.S. Patent No. 6,690,798).

As the Examiner admits, “Szczutkowski does not teach transmitting the data enciphered by a different cipher mode when the cipher mode and the enciphering information are determined not to correspond.” (7/23/04 Office Action, pg. 4) As a result, the Examiner relies upon Dent as allegedly teaching a transmission circuit “for determining whether the cipher mode and the enciphering information correspond, and **when the cipher mode and enciphering information are determined not to correspond transmitting the data enciphered by a different cipher mode** to the serial interface bus as packet data in another cycle,” as recited in claim 1.

However, it is respectfully submitted that the relied upon portions of Dent reveal no such teaching. Column 15, lines 52-55 of Dent states that when “the cipher mode indicator stored has a different value from the currently received value, then the mobile **will refuse to continue with the communication**.” Accordingly, such portion of Dent indicates that communication is merely **stopped** when “the cipher mode indicator stored has a different value from the currently received value.” In contrast, when a non-correspondence situation is determined in the circuit as recited in claim 1, the circuit does not stop transmitting but instead **transmits “the data enciphered by a different cipher mode.”**

Similarly, column 15, lines 26-45 of Dent contains no teaching of determining correspondence of “the cipher mode and the enciphering information,” and “transmitting the data enciphered by different cipher mode,” when they do not correspond.

Nor does either of the portions of Dent cited by the Examiner describe "transmitting the data enciphered by a different cipher mode to the serial interface bus as packet data in another cycle." In fact, the relied upon portions of Dent is silent with respect to cycles.

Accordingly, it is believed that claim 1 is patentably distinguished over the applied combination of references and is allowable. Further, claims 2-8 which depend from claim 1 are allowable therewith.

CONCLUSION

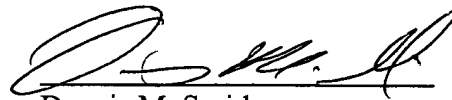
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the cited prior art, and early and favorable consideration thereof is solicited.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Dennis M. Smid
Reg. No. 34,930
(212) 588-0800